

Appl. No. 10/605,837  
Amdt. dated August 30, 2006  
Reply to Office action of June 16, 2006

### **REMARKS**

***Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaki (US Patent 5,999,454) in view of Touchet (US 20030221093)***

Applicant asserts that it is not obvious to combine the teachings of Yamaki with that  
5 of Touchet because there is no proper motivation to do so. Applicant asserts that if such a  
merger were to occur, it would render the system of Touchet inoperable, while adversely  
affecting the performance of Yamaki's system. Yamaki and Touchet also both do not  
suggest a motivation or rationale to combine their respective teachings, so that even if  
their teachings were merged it would be rendered unobvious. Additionally, applicant  
10 points out that Touchet does not explicitly teach "powering of the voltages of pins of the  
power supply connector to appropriate levels", as disclosed in the limitations of claim 1.

In the above office action, the Examiner has identified paragraph [0026] of Touchet  
as teaching "powering of the voltages of pins of the power supply connector to  
appropriate levels". However, paragraph [0026] of Touchet simply reads "Upon receiving  
15 a power good signal from the power supply 13 to indicate that a steady power supply is  
available". Therefore, applicant points out that Touchet does not explicitly teach powering  
of the power supply in the above referenced paragraph, but merely describes the events  
that follow powering of the power supply. Because Touchet does not disclose this,  
applicant asserts that Touchet does not teach "powering of the voltages of pins of the  
20 power supply connector to appropriate levels" as disclosed in claim 1 of the present  
invention.

Additionally, applicant points out that neither Touchet nor Yamaki provide a proper  
motivation to combine their respective teachings. The Examiner has stated in remarks that  
"it would have been obvious to one of ordinary skill in the art to have modified the  
25 system of Yamaki with the detecting of the power good signal from the power supply  
before power on of the computer of Touchet in order to prevent possible damage to the

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system". However, examination of the teachings of Touchet and Yamaki do not explicitly disclose this same motivation. That is, neither Touchet nor Yamaki teach detecting a power good signal from the power supply system in order to prevent possible damage to the system. Applicant therefore asserts that the Examiners disclosed motivation must be  
5 considered speculative, as it is not specifically revealed by either Touchet nor Yamaki to provide any benefit to their respective teachings.

Applicant also asserts that there is no proper motivation to combine of the teachings of Touchet with Yamaki, as performance of their respective systems would be adversely affected from such a merger. Specifically, including the features of Touchet with Yamaki  
10 would reduce functionality of the BIOS, non-volatile memory, and RAM of Yamaki.

Touchet teaches "a method of performing a system boot sequence...while the system initialization routine software performs the system boot sequence" [paragraph 0018], where "the initialization routine software which commonly is known as a system BIOS, being stored in a non-volatile memory" [paragraph 0005]. Therefore, applying the  
15 teachings of Touchet would obviously require altering the system BIOS. In doing this, Touchet requires that "the system BIOS 22 program may first search for a video card... may search for other devices which may have non-volatile memories or ROM in a local BIOS, and where found, any programs in such other ROM memories may be run" [paragraph 0028]. However, Yamaki conversely requires that " the CPU 11 first executes  
20 the system BIOS...the system BIOS will compare the "year, month, day of month" for automatic start-up read from the nonvolatile memory 19" (Col 7 lines 5-25). Therefore, applicant asserts that including the teachings of Touchet with Yamaki will change the BIOS priorities of Yamaki to adversely cause delays, until the "the system BIOS will compare the "year, month, day of month" for automatic start-up read from the nonvolatile  
25 memory 19" (Col 7 lines 23-26). Because Yamaki teaches an alarm function for automatic starting of a system, applicant asserts that an induced delay before the BIOS can start comparison with the date/time may cause the system to miss a crucial start time or

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scheduled startup.

Additionally, Touchet teaches "system non-critical information stored in the non-volatile memory" [paragraph 0013], whereas Yamaki requires "The non-volatile memory 19...holds information indicating whether the setting of the alarm power-on function is enabled or disabled and alarm setting information" (Col 4 lines 60-65).  
5 Therefore, including the system non-critical information of Touchet into the non-volatile memory of Yamaki would not only reduce memory resources of the non-volatile memory for non-critical information, but possibly provide conflict if there is insufficient storage for both data sets. Touchet also states that "The system non-critical information which is  
10 stored in the non-volatile memory 24 depends on agreement with the manufacturer/supplier of the RAM 20" [paragraph 0033]. Applicant asserts that this may act to reduce the potential suppliers and type of RAM that can be used in the teachings of Yamaki, and hence limit implementation of Yamaki's system.

Finally, applicant points out that including the teachings of Yamaki with Touchet  
15 would render the system of Touchet inoperable. Touchet describes "a system including a display screen...in which on system start-up during which an initialization routine is run, information is displayed on the display screen" [paragraph 0001]. However, Yamaki teaches that during start-up "When the system power supply is turned on by the power switch operation or by the alarm... the PSC (power supply controller) does not supply  
20 electric power to the other devices, including the display unit 12" (Col 7 lines 3-8). Therefore, as Yamaki does not provide power to the display unit upon system start-up, applicant points out that the system of Touchet cannot effectively operate to display information on the display screen during start-up.

In summary, applicant asserts that it is not obvious to combine the teachings of  
25 Yamaki with that of Touchet. Applicant asserts that there is no proper motivation to do so as it would render the system of Touchet inoperable, while adversely affecting

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performance of Yamaki's system through the altering of BIOS sequencing, non-volatile memory allocation, and selection of RAM types. Additionally, Yamaki and Touchet both do not explicitly suggest a proper motivation combine their respective teachings, rendering even a possible merger unobvious. Finally, applicant points out that Touchet  
5 does not explicitly teach "powering of the voltages of pins of the power supply connector to appropriate levels", as disclosed in the limitations of claim 1.

For at least the above-described reasons, applicant respectfully requests  
reconsideration for the allowance of claim 1.

*Claims 2-3, 5 are rejected under 35 U.S.C 103(a) as being unpatentable over Yamaki as  
10 applied to claim 1 above, and further in view of Lin et al US 20030095044*

Regarding claims 2,3 and 5, applicant points out that these claims are dependent on claim 1 above. Therefore, should an allowance be given for claim 1 in light of the above remarks, applicant asserts that allowances should also be made for claims 2,3 and 5 as being dependent on claim 1.

*15 Claims 1, 4, 7-9 are rejected under 35 U.S.C 102(b) as being anticipated by Tomiyasu US Patent 6,134,187*

Regarding the rejection of claim 1, applicant assumes that a mistake was made on the Examiner's heading, as the remarks appear that claims 1, 4, 7-9 were rejected under 35 U.S.C 103(a) as being unpatentable over Tomiyasu in view of Touchet (US  
20 20030221093). Therefore, applicant has provided the following response under the above assumption.

For reasons also stated above in the rejection of claim 1 under 35 U.S.C 103(a) over Yamaki in view of Touchet, applicant asserts that it is not obvious to combine the teachings of Tomiyasu with that of Touchet because there is no proper motivation to do so.

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Applicant asserts Tomiyasu and Touchet both do not explicitly suggest a motivation or rationale to combine their respective teachings. Additionally, applicant points out that Touchet does not explicitly teach "powering of the voltages of pins of the power supply connector to appropriate levels", as disclosed in the limitation of claim 1.

5       The Examiner has identified paragraph [0026] of Touchet for teaching "powering of the voltages of pins of the power supply connector to appropriate levels" in claim 1. However, paragraph [0026] of Touchet simply reads "Upon receiving a power good signal from the power supply 13 to indicate that a steady power supply is available". Therefore, applicant points out that Touchet does not explicitly teach powering of the power supply  
10       in the above referenced paragraph, but merely describes the events that follow the powering of the power supply. Applicant points out that Touchet does not explicitly teach "powering of the voltages of pins of the power supply connector to appropriate levels" as disclosed in claim 1 of the present invention.

15       Additionally, applicant points out that neither Touchet nor Tomiyasu provide a proper motivation to combine their respective teachings. The Examiner has stated in remarks that "it would have been obvious to one of ordinary skill in the art to have modified the system of Tomiyasu with the detecting of the power good signal from the power supply before power on of the computer of Touchet in order to prevent possible damage to the system". However, examination of the teachings of Touchet and Tomiyasu  
20       do not explicitly disclose this same motivation. That is, neither Touchet nor Tomiyasu teach detecting a power good signal from the power supply system in order to prevent possible damage to the system. Applicant therefore asserts that the Examiners disclosed motivation must be considered speculative, as it is not specifically revealed by either Touchet nor Tomiyasu to provide any benefit to their respective teachings.

25       Touchet also teaches "system non-critical information stored in the non-volatile memory" [paragraph 0013], whereas Tomiyasu requires the non-volatile "RTC memory



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(backup RAM) of the real-time clock device (RTC) continuously affects the memory operation by use of an exclusive backup battery irrespective of the ON/OFF state of the system power source... is constructed by 128 bytes, alarm information" (Col 6 lines 5-10). Therefore, including the system non-critical information of Touchet into the non-volatile  
5 memory of Tomiyasu would not only reduce memory resources of the non-volatile memory (RTC memory) to store non-critical information, but possibly conflict with essential RTC alarm information if there is insufficient storage for both data sets. Touchet also states that "The system non-critical information which is stored in the non-volatile memory 24 depends on agreement with the manufacturer/supplier of the RAM 20"  
10 [paragraph 0033]. Applicant asserts that this may act to reduce the potential suppliers and type of RAM that can be used in the teachings of Tomiyasu, and hence limit implementation of Tomiyasu's system.

For at least the above described reasons, applicant respectfully requests reconsideration for the allowance of claim 1.

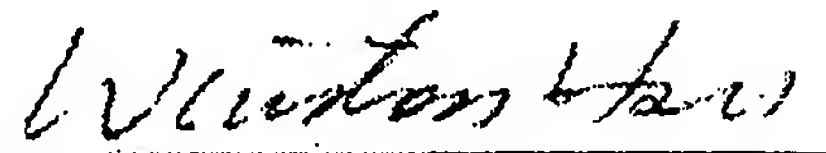
15 Regarding claims 4, 7-9 applicant points out that these claims are dependent on claim 1 above. Therefore, should an allowance be given for claim 1 in light of the above remarks, applicant asserts that allowances should also be made for claims 4, 7-9 as being dependent on claim 1.

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Sincerely yours,



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